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Trans Union LLC*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SERGIO L. RAMIREZ, on behalf of himself and all others similarly situated,

Case No. 3:12-cv-00632-JSC

Plaintiff,

V

## TRANS UNION, LLC,

Defendant.

**STIPULATION AND  
[PROPOSED] ORDER  
RE: POST-APPEAL PROCEEDINGS**

1           WHEREAS, a Judgment was entered in this matter on June 20, 2017, and an Amended  
2 Judgment was entered on November 16, 2017. (ECF Nos. 353 & 347);

3           WHEREAS, TransUnion filed a Notice of Appeal on November 1, 2017 and an Amended  
4 Notice of Appeal on December 1, 2017. (ECF Nos. 342 & 350);

5           WHEREAS, on February 27, 2020, the U.S. Court of Appeals for the Ninth Circuit  
6 rendered an opinion in regard to TransUnion's appeal (see ECF No. 358) by which it affirmed the  
7 jury verdict and this Court's rulings on TransUnion's post-verdict motions but reduced the  
8 punitive damages award from \$6,353.08 per class member to \$3,936.88 per class member  
9 (Appellate ("App.") ECF No. 54-1), decreasing the total judgment against TransUnion to  
10 \$43,533,923.10 ("Revised Judgment"), as to which TransUnion sought further review in the U.S.  
11 Supreme Court. (ECF Nos. 358 & 370);

12           WHEREAS, on June 25, 2021, the U.S. Supreme Court rendered its Opinion by which it  
13 reversed the judgment of the Ninth Circuit. (ECF No. 376);

14           WHEREAS, on August 23, 2021, the U.S. Court of Appeals for the Ninth Circuit issued  
15 an Order directing this Court to conduct further proceedings consistent with the Supreme Court's  
16 decision. (ECF No. 381);

17           WHEREAS, while appellate proceedings were underway, Plaintiff filed a Motion for  
18 Attorney Fees and Reimbursement of Costs and Expenses and a Supplemental Motion for  
19 Attorney Fees and Reimbursement of Expenses. (ECF Nos. 353 & 368);

20           WHEREAS, this Court previously ordered that all proceedings on fee and cost matters are  
21 stayed and would be resolved after completion of Supreme Court review. (ECF No. 375);

22           WHEREAS, on September 3, 2021, TransUnion filed a Bill of Costs with respect to  
23 appellate costs. (ECF No. 382);

24           WHEREAS, in advance of the status conference currently scheduled for September 30,  
25 2021, counsel for TransUnion and Plaintiff are actively meeting and conferring in hopes of  
26 submitting an agreed plan for resolving issues pertaining to the Supreme Court's decision, in hopes  
27 of avoiding unnecessary motion practice; and

1           WHEREAS, in order to provide sufficient time to meet and confer and prepare the above-  
 2 referenced joint plan to this Court, the parties proposed and this Court agreed that the status  
 3 conference be continued to October 28, 2021, or at a later time that is convenient for the Court;

4           WHEREAS the parties continue to confer about a proposed case management plan and  
 5 have agreed to share certain information with each other in support of their respective positions  
 6 and in an effort to propose a joint schedule on as many issues as possible;

7           WHEREAS the parties have had certain delays occasioned by the wedding of one of  
 8 Plaintiffs' attorneys and the fact that one of Defendant's attorneys has been attached for trial;

9           **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and  
 10 between the Parties, through their undersigned counsel of record as follows:

- 11           1. The status conference currently scheduled for October 28, 2021 shall be continued  
 12           to November 18, 2021, or at a later time that is convenient for the Court.
- 13           2. The parties will submit a joint report containing their respective proposals as to  
 14           further proceedings in this action on or before November 11, 2021, or one week prior  
 15           to the status conference, whichever is later.

16           Respectfully submitted,

17           /s/ John Soumilas  
 18           **FRANCIS MAILMAN SOUMILAS, P.C.**  
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3 I, Stephen J. Newman, attest that all other signatories listed, on whose behalf the filing is  
4 submitted, concur in the filing's content and have authorized the filing.  
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11 */s/ Stephen J. Newman*  
12 Stephen J. Newman  
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STRICK & STROOCK & LAVAN LLP  
2029 Century Park East

## **[PROPOSED] ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

The status conference currently scheduled for October 28, 2021 be continued to November 18, 2021. The parties will submit a joint report containing their respective proposals as to further proceedings in this action on or before November 11, 2021.

Dated: October \_\_\_, 2021

Hon. Jacqueline Scott Corley  
United States District Judge

## **CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2021, a copy of the foregoing **JOINT REQUEST TO CONTINUE STATUS CONFERENCE ON POST-APPEAL PROCEEDINGS** was filed electronically. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's EM/ECF System.

/s/ John Soumilas  
John Soumilas

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